



MANAGEMENT

Hazardous Waste Recycling:

DNR Requirements in Brief

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Many types of commercial and industrial processes within Wisconsin produce hazardous wastes. When waste minimization is not feasible, methods exist for the recycling of most of these materials. Recycling hazardous waste by recovering potentially useful materials or energy, by re-using those wastes, or reclaiming the wastes back to the original form makes good sense from an environmental and often a cost standpoint.

Definitions

The key to understanding the DNR hazardous waste recycling requirements found in Wisconsin Administrative Code, Chapter NR 625, is to grasp the meaning of several important terms defined in s. NR 600.03:

- ◆ **Recycling** means the "beneficial use or reuse" or "legitimate recovery or reclamation" of a hazardous waste. Recycling includes the recovery of energy from hazardous waste.
- ◆ **Beneficial use or reuse** means the use or reuse of hazardous waste as an ingredient or feedstock in production processes. It includes using hazardous waste as a substitute for raw material in processes that usually use raw materials as feedstocks, or using or reusing hazardous waste as a substitute for commercial chemical products. This item does not include burning, or the legitimate recovery or reclamation of a hazardous waste. This item does include burning of hazardous waste for energy recovery in boilers or industrial furnaces designed for this purpose.
- ◆ For the purpose of **energy recovery**, hazardous waste may be burned in a **boiler** or an **industrial furnace**, both of which are enclosed devices using controlled flame combustion. This does not include the burning of hazardous waste for the sole purpose of destruction. In addition, the U.S. Environmental Protection Agency regulates hazardous waste burning in boilers and industrial furnaces in 40 CFR 266 subpart H.
- ◆ **Legitimate recovery or reclamation** means the regeneration of a hazardous waste to remove contaminants so that the waste can be put to further use. It may include processing a hazardous waste to recover usable materials, or regenerating a waste to its original form. It would include, for example, solvent recovery using distillation stills or metal recovery such as silver recovery from photographic wastes. Recovery or reclamation does not include burning or beneficial use or reuse.

Recycling Exemptions

A facility that recycles hazardous waste may find that some recycling activities are exempt from the licensing requirements of a hazardous waste treatment facility. The following lists which activities are and are not eligible for licensing exemptions.

- ◆ **Eligible recycling activities:**

- ✓ Beneficial use or reuse of a hazardous waste.
- ✓ Burning of hazardous waste in boilers or industrial furnaces for energy recovery.
- ✓ Legitimate recovery and reclamation.
- ✓ Certain other legitimate types of actual recycling.

- ◆ **Noneligible recycling activities**

- ✗ Use that constitutes disposal, such as spreading hazardous waste/waste oil mixtures on roads for dust suppression, which is illegal in Wisconsin.
- ✗ The burning of hazardous waste in incinerators.
- ✗ Recycling in surface impoundments.
- ✗ Recycling in waste piles.
- ✗ Recycling in land treatment units.

Why recycle hazardous waste?

A recycling unit that is treating hazardous waste typically does not have to comply with certain regulatory requirements of the NR 600-series Wisconsin Administrative Code that do apply to hazardous waste treatment, storage and disposal (TSD) facilities. Depending upon the type of recycling activity carried out at your facility, your recycling unit may be exempt from one or more of the following TSD requirements:

- ◆ Financial responsibility requirements for closure and the liability insurance requirement for sudden release of hazardous waste from the treatment/recycling facility
- ◆ Detailed closure plan requirements for the treatment/recycling activity.
- ◆ Submittal of the feasibility and plan of operation report review process for the treatment/recycling activity.
- ◆ Obtaining an interim license or a final operating license to operate a treatment/recycling unit.

It is important to note, however, that these exemptions only apply to the recycling aspect of a facility. All other applicable requirements of the NR 600-series, Wis. Adm. Code such as generator and storage standards, must be complied with.

Obtaining your exemption

The procedures and requirements for obtaining an exemption depend upon the type of recycling activity. Some recyclers are granted the exemption by rule, provided that they comply with certain standards, while others will have to apply in writing and receive a written determination for this exemption. Unless you are involved in reclamation or recovery, a written request for the exemption must be made to the Department in order to continue or begin recycling hazardous waste. For further information on issues related to correct hazardous waste management practices within Wisconsin, contact your DNR regional hazardous waste specialist.





Questions?

For information detailing the exemption process and Wisconsin requirements on hazardous waste recycling, you may obtain the 10 page publication "Hazardous Waste Recycling: Guide to the NR 625 Recycling Provisions," (PUBL-WA-207) from your DNR Regional Waste Management Program or by phoning 608/267-9700.

Call your DNR Regional waste management program (see attached map) if you have additional questions or consult the NR 600 series, Wisconsin Administrative Code. You may also want to check on DNR's web site at <http://www.dnr.state.wi.us> or contact your regional waste management program or DNR's Bureau of Cooperative Environmental Assistance at 608/267-9700 for a list of other publications that might be of interest. Copies of Wisconsin statutes and administrative rules can be purchased from Wisconsin Department of Administration, Document Sales and Distribution, P.O. Box 7840, Madison, WI 53707-7840 or call 608/266-3358. Wisconsin State statutes and some administrative rules are also on the Revisor of Statutes Bureau's world wide web site: <http://www.legis.state.wi.us/rsb/stats.html>.

Disclaimer: *This fact sheet is not intended as a substitute for the statutes and rules that apply. Rather, it is a brief summary of the topic. Please consult Wisconsin's statutes and administrative rules for detailed information.*

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